

Appln No. 09/619,553

Amdt date September 14, 2004

Reply to Office action of July 14, 2004

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested. Claims 1-22 and 43-64 are now in the application. Claims 1, 12, 43 and 54 have been amended. No Claims have been added or canceled by this amendment, Claims 23-42 having been canceled by previous amendment.

In the specification, the paragraph beginning Page 14, lines 2-31, has been amended to correct a series of minor typographical errors, wherein the elements 240a, 240b and 240c, of Fig. 3A were incorrectly referred to as elements 260a, 260b and 260c.

The Examiner has rejected Claims 1-42 under 35 U.S.C. §102(e) as being anticipated by Compliment et al. (US patent 6,360,260) ("Compliment").

The Applicants have amended Claim 1 to call in part for, "wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network". This is supported by page 10 of the specification, lines 22-27 which discloses that, "This counter is reset whenever the node transmits an LI frame." Likewise, "When a node receives any frame sent from another node in the network, either due to expiration of an interval of the other node's independent interval timer or due to higher layers sending other network traffic, the node decides that there is connectivity with the network."

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Compliment does not disclose a link integrity indication frame which resets the count of each network node on the communications network, according to Currently Amended Claim 1.

The examiner states that Compliment discloses on column 9 line 49 through column 10 line 51 "a managed device [which] sends out multiple initialization frames to each management station contained in the management table". More specifically, the examiner states that Compliment discloses on column 10, lines 1-15 that "the managed device steps through each entry of the management table, clearing the information in the table, and [attempts] to contact each management station again."

Column 10, lines 1-15 of Compliment refers to blocks 120, 130, 140, 150 and 160 of Fig. 4b. Compliment discloses in this portion of the specification and in Fig. 4b a process which cycles through each entry on a management table. If the connection state is false, for a particular node in the management table (block 120), the process "sends a discovery trap frame to this management station" (block 130 of Fig. 4b) (emphasis added). However, currently Amended Claim 1 claims a link integrity indication frame which, when sent, "resets the count of each network node on the communications network" (emphasis added).

Fig. 4b also discloses block 160 wherein for all the management table, the connection state is set to false. However, this block is only reached once the process of Fig. 4B has gone through all the entries of the management table, and block 160 occurs regardless of the state of the entries of the management table. For at least this reason, it this block also

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cannot be said to constitute transmitting a link integrity indication frame according to Currently Amended Claim 1, because block 160 is not reached based upon a determination that "the node state status [is not] indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval" (emphasis added), as currently claimed in Claim 1.

Thus, neither blocks 130 and 160 of Fig. 4b, nor the remainder of the disclosure of Compliment can be said to disclose according to Currently Amended Claim 1:

"transmitting a link integrity indication frame based upon determining the node state status as not being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval; and wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network"

Accordingly, the Applicants submit that Amended Claim 1 is not anticipated by Compliment under 35 U.S.C. §102(e). Claims 2-11 are dependent on Amended Claim 1. As such, Claims 2-11 are believed allowable based upon Amended Claim 1 and for the additional limitations contained therein.

The Applicants have amended Claim 12 to call in part for "transmitting a link integrity indication frame... based upon determining... the node state status as not being indicative of having received frames from each of a plurality of sending

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nodes" and, "wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network."

Compliment does not disclose "transmitting a link integrity indication frame... based upon determining... the node state status as not being indicative of having received frames from each of a plurality of sending nodes" and, "wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network" as currently claimed in Amended Claim 12.

As such, the Applicants submit that Amended Claim 12 is not anticipated by Compliment under 35 U.S.C. §102(e). Claims 13-22 are dependent on Amended Claim 12. Accordingly, Claims 13-22 are believed allowable based upon Amended Claim 12.

The Applicants have amended Claim 43, which calls in part for "transmitting a link integrity indication frame based upon determining... the node state status as being indicative of having received frames from each of a plurality of sending nodes" and, "wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network."

Compliment does not disclose "transmitting a link integrity indication frame based upon determining... the node state status as being indicative of having received frames from each of a plurality of sending nodes" and, "wherein, when transmitted, the link integrity indication frame resets the

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count of each network node on the communications network" as currently claimed in Claim 43.

As such, the Applicants submit that Claim 43 is not anticipated by Compliment under 35 U.S.C. §102(e). Claims 44-64 are dependent on Claim 43. Accordingly, Claims 44-64 are believed allowable based upon Claim 43.

The Applicants have amended Claim 54, which calls in part for "transmitting a link integrity indication... based upon determining... the node state status as being indicative of having received frames from each of a plurality of sending nodes" and, "wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network."

Compliment does not disclose "transmitting a link integrity indication... based upon determining... the node state status as being indicative of having received frames from each of a plurality of sending nodes" and, "wherein, when transmitted, the link integrity indication frame resets the count of each network node on the communications network" as currently claimed in Claim 54.

As such, the Applicants submit that Claim 54 is not anticipated by Compliment under 35 U.S.C. §102(e). Claims 55-64 are dependent on Claim 54. Accordingly, Claims 55-64 are believed allowable based upon Claim 54.

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the

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prior art and that all the rejections to the claims have been overcome. Entry of the amendment and reconsideration and reexamination of the above Application is requested.

Respectfully submitted,

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